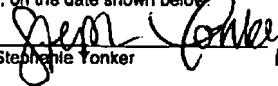


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MAY 29 2007

I hereby certify that this paper is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: May 29, 2007	Signature:  Stephanie Tonker

Docket No.: 377882000900  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Gary VAN NEST

Application No.: 09/802,686

Confirmation No.: 9981

Filed: March 9, 2001

Art Unit: 1648

For: METHODS OF PREVENTING AND  
TREATING RESPIRATORY VIRAL  
INFECTION USING  
IMMUNOMODULATORY  
POLYNUCLEOTIDE SEQUENCES

Examiner: E. Le

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action mailed January 26, 2007, for which a response was due on April 26, 2007. Filed herewith is a Petition and fee for a one month extension of time, thereby extending the deadline for response to May 26, 2007, which is a Saturday. Monday, May 28, 2007 is Memorial Day, a Federal holiday in the District of Columbia. Pursuant to 37 C.F.R. 1.7(a), when a filing deadline in the Patent and Trademark Office falls on Saturday, Sunday, or a Federal holiday in the District of Columbia, the action may be taken on the next succeeding day which is not a Saturday, Sunday, or a Federal Holiday. Accordingly, this response is timely filed on Tuesday, May 29, 2007. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

pa-1129652

Application No.: 09/802,686

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Docket No.: 377882000900

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

pa-1129652